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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA and
PEOPLE OF THE STATE OF CALIFORNIA
by and through CALIFORNIA REGIONAL
WATER QUALITY CONTROL BOARD,
SAN FRANCISCO BAY REGION,
)
Plaintiffs,
)
v.
)
CITY AND COUNTY OF SAN FRANCISCO,
)
Defendant.
)

Case No: 3:24-cv-02594-AMO

**JOINT STIPULATION AND
[PROPOSED] ORDER EXTENDING
STAY OF LITIGATION DEADLINES**

Hon. Araceli Martinez-Olguin

Stipulation and [Proposed] Order
Extending Stay of Litigation Deadlines
Case No. 3:24-cv-02594-AMO

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27 *Attorneys for Plaintiff People of the State of
28 California by and through the California Regional
Water Quality Control Board, San Francisco Bay
Region*

The Parties – Plaintiff United States of America (“United States”), Plaintiff People of the State of California by and through the California Regional Water Quality Control Board, San Francisco Bay Region (the “Regional Water Board”), Plaintiff-Intervenor San Francisco Baykeeper (“Baykeeper”), and Defendant City and County of San Francisco (“City” or “Defendant”) – request that the Court extend its June 3, 2024 Order (ECF No. 26) to allow the Parties to continue productive settlement discussions. As noted in the Parties’ Joint Status Report on ADR Process, the Parties have participated in four mediation sessions to date. (ECF No. 28). Counsel for the Parties have met and conferred and reached the following stipulation:

1. The Parties agree that settlement discussions during the current stay of litigation have been productive.
2. The Parties agree to continue productive settlement discussions through April 30, 2025, and have already scheduled meetings in January and February.
3. The Parties agree the Confidentiality terms of the Court's June 3, 2024 Order should continue to govern such discussions.

Stay of Litigation Deadlines

1. The Parties request that all Case Management Conferences be deferred and any otherwise applicable deadlines, including deadlines under Rules 12, 16, and 26 of the Federal Rules of Civil Procedure, be stayed through April 30, 2025.

2. The Parties shall submit a joint status report by April 15, 2025, advising the Court of the status of their efforts to resolve this matter without further litigation.

3. If any Party withdraws from the mediation process prior to April 15, 2025, the Parties shall notify the Court within ten days of receiving written notice of withdrawal, and simultaneously request the Court schedule a Case Management Conference and re-instate any deadlines set under Civil L.R. 16-2(a).

4. Defendant shall answer or otherwise respond to the Complaint and Complaint-in-Intervention filed in this action under Rule 12 by no later than 21 days after any Party withdraws from the mediation process or May 21, 2025, whichever is earlier.

1 IT IS SO STIPULATED.

2 Dated: 12/9/2024

3 FOR PLAINTIFF UNITED STATES OF
4 AMERICA:

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ATTESTATION

Pursuant to Civil Local Rule 5-1(i)(3), the filer of this document attests that concurrence in the filing of this document has been obtained from the other signatories above.

s/ Sheila McAnaney
Sheila McAnaney
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U.S. Department of Justice
Environment and Natural Resources Division
Environmental Enforcement Section
P.O. Box 7611
Washington, DC 20044

1 **PURSUANT TO STIPULATION, IT IS SO ORDERED:**

2

3 1. All proceedings in this matter, including Case Management Conferences and any otherwise
4 applicable deadlines, are stayed through April 30, 2025.

5 2. The Parties shall submit a joint status report by April 15, 2025, advising the Court of the
6 status of their efforts to resolve this matter through private mediation.

7 3. If any Party withdraws from the mediation process prior to April 15, 2025, the Parties shall
8 notify the Court within ten days of receiving written notice of withdrawal, and
9 simultaneously request the Court schedule a Case Management Conference and re-instate
10 any deadlines set under Civil L.R. 16-2(a).

11 4. Defendant shall answer or otherwise respond to the Complaint and Complaint-in-
12 Intervention filed in this action under Rule 4 by no later than 21 days after any Party
13 withdraws from the mediation process or May 21, 2025, whichever is earlier.

14 5. Confidential information and settlement communications during the mediation process shall
15 continue to be governed by the Confidentiality provisions in ADR L.R. 6.12 and the Court's
16 Order of June 3, 2024 (ECF No. 26).

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19 Date:

20 _____
21 Hon. Araceli Martinez-Olguin
22 United States District Judge
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